

Equality, Diversity and Inclusion Policy

1. Diversity and Inclusion Vision

- 1.1. AECC University College is committed to having a diverse and inclusive culture which offers equality and opportunity for all by eliminating unlawful discrimination, advancing equality of opportunity and promoting respectful relations on campus.
- 1.2. We are committed to achieving an environment in which all colleagues and students are treated with respect in which a zero tolerance approach is taken to bullying, harassment or discrimination; all people have the opportunity to realise their full potential; and all decisions are based on merit.
- 1.3. Discrimination, harassment and victimisation will not be tolerated anywhere in the University College.

2. Aims

- 2.1. This policy promotes positive attitudes towards diversity and inclusion, to ensure that everyone working studying or is applying at the University College is treated fairly and with dignity and respect. This policy aims to ensure that no people employed, studying or visiting the University College campus shall receive less favourable treatment on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation or any other basis that cannot be shown to be properly justifiable.
- 2.2. The University College will ensure that its policies, procedures and practices comply and are aligned with current equality legislation, such as the Equality Act 2010. This policy sets out the University College's ethos in support of equality in the key areas of current legislation and highlights existing equality policies and schemes that the University College will adhere to.

3. Protected Characteristics

3.1. Age

- 3.1.1. The University College celebrates and values the diversity of people of all ages and aims to ensure that all people are treated fairly and with dignity irrespective of their age. It is direct age discrimination to deny people opportunities or affect their employment contract or opportunity to study with us because of their age unless there is an objective reason for doing so.

3.2. Disability

- 3.2.1. The University College is committed to disability legislation compliance and offers its full support to staff, students and visitors with disabilities, making reasonable adjustments where practicable.

3.3. Gender Reassignment

3.3.1. The University College celebrates and values the diversity of its staff and students and aims to ensure that all transgender students and staff are treated fairly and with dignity and respect before, during and after gender reassignment.

3.4. Marriage and Civil Partnership

3.4.1. The University College aims to ensure that all students and staff who are in a marriage or civil partnership are treated fairly and with dignity and respect. Civil partnership is recognised and reflected in University College policies in accordance with the law.

3.5. Pregnancy and Maternity

3.5.1. The University College aims to provide an environment where its people are supported and treated fairly and with dignity and respect during pregnancy, maternity leave, paternity leave and whilst breastfeeding. This policy of equality is extended to staff with immediate family carer responsibilities and staff who have adopted children.

3.6. Race

3.6.1. The University College is committed to racial equality in employment and student life on and off campus. This includes a zero tolerance of threatening, abusive or insulting words or behaviour, materials and public acts that are likely to cause offence on the grounds of race.

3.7. Religion and Belief and Non-Belief

3.7.1. Religion or belief should be taken to mean the full diversity of religious and belief affiliations within the UK, including non-religious and philosophical beliefs such as atheism, agnosticism and humanism. University College staff and students must be mindful of the legislation in relation to their role in promoting academic freedom. The University College is committed in its duty to promote equality of opportunity between people of different religious beliefs and opinions.

3.8. Gender Identity

3.8.1. The University College is committed to embedding gender equality throughout the staff and student community. The University College will proactively address underrepresentation, for example, progression of women in their chosen career and gender balance on particular academic courses.

3.8.2. Our Gender Pay Gap Report shows the difference in the mean and median pay and bonuses of men and women, the proportion of men and women who received bonus pay and the proportion of men and women in each of four quartile pay bands. It also addresses the reasons for the pay gap and provides a summary of the action which is being taken to address the gap. For the latest report, please go to our [website](#). All institutional policies and procedures should use gender-neutral language.

3.9. Sexual Orientation

3.9.1. The University College celebrates and values the diversity of its staff and students and aims to ensure that all lesbian, gay, bisexual and transgender students are welcomed and are treated fairly and with dignity and respect on and off the campus.

4. University College Services

4.1. All University College staff will take account of this equality policy and ensure the University College community remains fair and open to all.

4.2. Student Admissions

4.2.1. The University College is committed to excellence in admissions and aims to provide a professional and fair service for applicants. The University College aims not only to select students who have the ability and motivation to benefit from the programmes which they intend to follow and who will make a contribution to University College life, but also to ensure that no prospective or existing student is treated less favourably on any grounds based on the protected characteristics listed above.

4.2.2. Similar to interviews for staff, at least one member of any student interview panel must have completed mandatory training.

4.3. Access and Participation

4.3.1. The University College is committed to widening participation in higher education and is keen to see a socially and culturally diverse staff and student population at the University College. To help achieve this the University College offers a wide range of activities for schools, parents and teachers. The University College is involved in many projects which aim to raise aspirations, attainment and encourage progression to University College as contained in the University College's Access and Participation Plan. Therefore, there is an imperative that the University College demonstrates good practice and adheres to the principles of equality and fairness.

4.4. Teaching, Learning and Assessment

4.4.1. The University College values the diversity of backgrounds and experiences that staff and students bring to the academic environment and is committed to meeting the needs of a diverse and changing University College community. The University College aims to ensure that all teaching, learning and assessment strategies are equitable, undertaken with awareness of the different needs of students, and are directed towards the encouragement of academic and personal development. The University College recognises the importance of encouraging diversity to be reflected in the content of courses, teaching methods and forms of assessment.

4.5. Facilities and Services

4.5.1. All facilities and services provided by or in association with the University College operate in accordance with the University College's Equality, Diversity and Inclusion Policy for staff, students and visitors. This includes catering facilities, sports provision and social activities.

5. Harassment and Bullying

5.1. The University College has a zero tolerance of harassment and bullying in any form. Harassment and bullying means any unwanted behaviour that makes someone feel intimidated, degraded, humiliated or offended. Harassment and bullying behaviour is not always obvious or apparent to others, and may happen in the workplace or student environment without awareness. All University College staff and students have an important role to play in creating an environment where harassment and bullying are totally unacceptable. Staff or students experiencing harassment or bullying in any form can access any staff member or line manager who will offer a first point of contact to anyone experiencing harassment or bullying.

5.2. The University College encourages bystander reporting of incidents of bullying and

harassment.

6. Complaints

- 6.1. University College students or staff who wish to make a complaint about an equality related matter should have the freedom to do so. In the first instance you should seek resolution by taking your complaint to the member of the University College most closely involved with the substance of your complaint and that may be your line manager. For students wishing to make a complaint regarding an equality related matter should refer to the [Student Complaints Policy](#).
- 6.2. University College Heads, senior members of staff and managers are responsible for managing diversity and inclusion complaints from staff under this policy with support from the HR Team as appropriate. Staff who believe they have not been treated equitably or feel there is an equality breach should raise the matter with their line manager in the first instance.
- 6.3. The line manager or supervisor should seek advice from the HR Team in order to resolve the complaint. If the complaint is against their line manager, staff should raise the complaint with a member of the executive that is responsible for that area. If this does not resolve the matter, the member of staff may make a complaint in accordance with the University College Grievance Policy and Procedure – the first step of which is to establish whether the complaint may be resolved informally and where possible at the lowest level. The University College's Grievance Policy and Procedure can be found on the SIP.
- 6.4. No student or member of staff will be victimised for bringing a complaint under this equality policy. However, where a complaint is made maliciously and/or on knowingly false information, the complainant may be subject to the disciplinary procedure.

7. Monitoring

- 7.1. The University College is committed to equality monitoring of undergraduate and postgraduate applications, admissions, progression and achievement, and key staff employment data such as recruitment, pay and training. Comparisons are currently made by ethnicity, age, gender, under-represented groups and disability. The results of such monitoring will be reviewed by Senior Management Group on an annual basis for both staff and student data.

8. Recruitment and Employment of Staff

- 8.1. The process of recruitment and selection is to identify the most suitable person for the job in respect of experience, qualifications; skills and attitude. It is designed to be free from bias and discrimination either directly or indirectly on the grounds of one of the protected characteristics (see Appendix 1).
- 8.2. Short-listing and interviewing must be completed by more than one person and notes regarding the suitability/non-suitability of candidates must be made against the essential and desirable requirements.
- 8.3. The University College's commitment to Equality, Diversity & Inclusion is to be stated in all recruitment literature.
- 8.4. At interview, all questions must be relevant to the job and in no case will questions be asked or assumptions made about a person's personal and domestic circumstances or plans. A question should be included in all interviews that assesses the candidates approach to equality, diversity and inclusion.
- 8.5. The Chair of all interview panels must have completed the University College's Recruitment and Selection training and Unconscious Bias Training. All staff will be encouraged to undertake similar training.
- 8.6. Reasonable adjustments for colleagues will be promoted with timely referrals to

Occupational Health and Access to Work where appropriate.

- 8.7. Part-time work is one way that the University College is able to support flexible working. Where reasonably practicable the University College will ensure all roles can be offered on a part-time basis and that part time workers will be treated fairly.
- 8.8. Please see the University College's Recruitment Policy for further detail on the recruitment process.

9. Training and Development

- 9.1. All managers will receive training in the principles of equal opportunity in employment which will take place within general management training courses and specific employment related courses such as: Recruitment and Selection; Appraisals; Induction. In addition, it is a mandatory requirement that all staff will complete the Equality and Diversity course on Marshall e-learning. All staff will then complete some form of equality and diversity training every three years, this can be either a repeat of previous training or face-to-face and e-learning training.

10. Implementation and Responsibilities

- 10.1. The University College seeks to ensure that, as far as is reasonably practicable members of the University College are informed of this policy and any associated procedures. All members of the University College are responsible for familiarising themselves with this policy and its implementation and will be required to sign off on iTrent that they have done so.
- 10.2. All new staff will be informed of this policy as part of their induction and will be reminded to familiarise themselves with this policy and any associated procedures on a periodic basis.
- 10.3. The Senior Management Group is responsible for monitoring the effectiveness of this policy and for embedding of culture of diversity and inclusion across the University College. Equality staff statistics will be sent to SMG on an annual basis for information.
- 10.4. All senior managers have a direct responsibility for ensuring the implementation of this policy and that training and support is carried out within their areas of responsibility. Senior managers must actively support and promote a culture of inclusivity and diversity within their areas of responsibility. Line managers must also ensure that regular equality and diversity training is completed by those staff that they manage. All staff must remain fully engaged and committed to the University College's diversity and inclusion agenda.

11. Annual Report

- 11.1. The University College's internal monitoring process is an important way of determining whether measures taken by the University College to combat inequality, harassment, discrimination and victimisation are effective. The University College will produce an annual report, which will incorporate equality data and describe how diversity and inclusion activity is promoted within the University College. This will enable the University College's equality policies, activities and practices to be reviewed annually.

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Target:	Staff and students of AECC University College
Policy location:	SIP and University College website
Equality analysis:	No direct impact, the policy provides for equality analysis to be undertaken as part of policy review The policy provides for information to be made available in alternative formats as required, to make reasonable adjustments in line with the Equality Act 2010.

Appendix 1

Definitions

In line with the Equality Act 2010, AECC University College applies the following definitions in application of this policy:

1. Protected Characteristics

This policy is intended to protect employees and students from unfair treatment, regardless of their background. The definitions of 'protected characteristics' are based on those set out in the Equality Act 2010:

Age refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds). The Equality Act protects people over 18 from discrimination in employment.

Under this policy, no employee or student should be treated differently on the basis of their age unless it can be demonstrated that it is a proportionate means of meeting a legitimate aim.

A person has a **Disability** if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. To qualify for protection from discrimination, a person with a disability does not have to show that their impairment affects a particular 'capacity', such as mobility, speech, hearing or eyesight.

N.B. Candidates for employment should not be asked about their health before offering them work.

The protected characteristic of **Gender Reassignment** applies to a person who is proposing to undergo, is undergoing or has undergone a process to change their sex. To qualify for protection from discrimination a transgender person does not have to show that they are under medical supervision.

Marriage and Civil Partnership status are only protected characteristics in an employment context. Direct discrimination only covers less favourable treatment of a worker because the worker themselves is married or a civil partner. Single people and people in relationships outside of marriage or civil partnership (whether or not they are cohabiting), are not protected from direct discrimination because of their status. Legislation to enable same-sex marriage in **England and Wales** came into force on 13 March 2014.

Pregnancy is the condition of expecting a baby. **Maternity** refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Women are protected from discrimination on the grounds of pregnancy and maternity during the period of pregnancy and any statutory maternity leave to which they are entitled. Employers must not take into account an employee's period of absence due to

pregnancy-related illness when making a decision about employment, and should ensure that there are appropriate mechanisms for separately recording such illnesses.

Race refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. A racial group can be made up of two or more different racial groups (for example, Black Britons).

Religion and Belief refers to religious and philosophical beliefs that affect a person's life choices or the way a person lives. A religion must have a clear structure and belief system. A belief means any religious or philosophical belief or lack of belief that guides a person's life choices. Humanism is a protected philosophical belief but political beliefs would not be protected.

Sex refers to a person's gender - a man or a woman.

Non-Binary is an umbrella term covering any gender identity that doesn't fit within the gender binary i.e. male or female. The label may also be used by individuals wishing to identify as falling outside of the gender binary without being any more specific about the nature of their gender.

Sexual Orientation categorises a person's sexual attraction towards their own sex, the opposite sex, or both sexes.

No employee or student should be treated unfairly on the basis of their sexual orientation. The Equality Act protects lesbian, gay, bisexual and heterosexual employees/ students from discrimination, harassment and victimisation.

2. Discrimination

Direct Discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see 'perceptive discrimination'), or because they associate with someone who has a protected characteristic (see 'associative discrimination').

Associative Discrimination occurs when someone is treated less favourably than another person because they are linked to someone with a protected characteristic. For example, you cannot refuse to recruit somebody because you/ they are married to a foreign national or refuse to promote a person because they care for a relative with a disability.

Perceptive Discrimination occurs when someone is treated less favourably than another person because others think that they possess a particular protected characteristic, even if the person does not actually possess that characteristic. For example, you cannot refuse to recruit somebody because you think they are Muslim (whether they are or not), or refuse to allocate a job to a person purely because you think they don't look old enough.

Indirect Discrimination can occur when you have a condition, rule, policy or practice that applies to everyone but which particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if you can show that your actions were a proportionate means of achieving a legitimate aim and, as such, are objectively justified.

An **Objective Justification** is when an otherwise discriminatory action can be objectively justified as a proportionate means of achieving a legitimate aim – that is, the way of achieving the aim is appropriate and necessary.

3. Harassment and Bullying

Harassment is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, humiliating or offensive environment for that individual. Employees are also protected from harassment because of perception and association.

Bullying includes persistent criticism, intimidation, personal abuse and/or ridicule which humiliates or demeans the individual involved, eroding their self-confidence.

4. Victimisation

Victimisation occurs when an employee/student is treated differently because they have made or supported a complaint, raised a grievance, or because they are suspected of doing so. An employee/ student is not protected from victimisation if they have maliciously made or supported an untrue complaint.

5. Positive Action

Some people with protected characteristics are disadvantaged or under-represented in some areas of life, or have particular needs linked to their characteristic. They may need extra help or encouragement if they are to have the same opportunities as everyone else. **Positive Action** refers to a range of lawful actions that seek to overcome or minimise disadvantages that people who share a protected characteristic have experienced, or to meet their different needs. For example, under our Recruitment Policy we will automatically offer an interview to all candidates with a disability who request an interview and meet the essential criteria for the role.

Affirmative Action is another term for Positive Action. It occurs when positive steps are taken to increase the participation of under-represented groups in the workplace or in uptake of services.

Positive Discrimination, the act of treating someone with a protected characteristic more favourably to counteract the effects of past discrimination, is illegal in the UK. For example, it is illegal to choose a black candidate over a white candidate for a job solely on the basis of their colour. However, in trying to address a low representation of ethnic minorities in the work place positive action – such as advertising jobs through local BME groups, is acceptable.

6. Reasonable Adjustment

Where a person with a disability is at a substantial disadvantage in comparison with people who are not disabled, there is a duty to take all reasonable steps to remove that disadvantage by (i) changing provisions, criteria or practices, (ii) altering, removing or providing a reasonable alternative means of avoiding physical features and (iii) providing auxiliary aids. The effect of a reasonable adjustment should be to provide a service as close as reasonably possible to the standard offered to non-disabled people.

This is an **Anticipatory Duty** for service providers, i.e. all reasonable adjustments known to the service provider should be made in advance to assist potential disabled service users and not just to those who are known to the service provider.

What is considered **Reasonable** will depend on all the circumstances of the case including the size of an organisation and its resources, what is practicable, the effectiveness of what is being proposed and the likely disruption that would be caused by taking the measure in question as well as the availability of financial assistance.

For example, it would be a reasonable adjustment for a small business to fit a ramp allowing people in wheelchairs to access the services as easily as non-wheelchair users. For a large University, it would be reasonable to install lifts enabling students with limited mobility to access campus.

If an adjustment is reasonable, the person or organisation providing the service must pay for it.

Proportionate refers to measures or actions that are appropriate and necessary. Whether something is proportionate in the circumstances will be a question of fact and involve weighing up the discriminatory impact of the action against the reasons for it, and asking if there is any other way of achieving the aim. Where a decision is taken that a requested adjustment is not reasonable or proportionate, the University College would need to ensure that the decision was supported by appropriate evidence.

Some examples of reasonable adjustments include:

- Providing information in **Alternative Formats** which are accessible to disabled people with specific impairments, for example Braille, audio description, subtitles and Easy Read.
- Fitting **Hearing Loops** that allow people with hearing aids to filter out distracting background noise in public places
- Fitting **Wheelchair Ramps** to allow access to different levels
- Providing **Disabled Facilities** that are wide enough for service users in wheelchairs
- Employing a Palantypist to allow an employee with a hearing impairment to take part in large meetings
- Installing Videophone or Text phone facilities for blind service users
- Providing screen readers for blind or partially sighted employees
- Providing Sign Language Interpreters at healthcare appointments